

Arizona State Land Department Authority

37-623. Suppression of wildfires; powers and duties of state forester; entry on private lands

A. The state forester shall have authority to prevent and suppress any wildfires on state and private lands located outside incorporated municipalities and, if subject to cooperative agreements, on other lands located in this state or in other states, Mexico or Canada. If there is no cooperative agreement, the state forester may furnish wildfire suppression services on any lands in this state if the state forester determines that suppression services are in the best interests of this state and are immediately necessary to protect state lands.

B. In exercising the authority to prevent wildfires, if the state forester declares a prohibition on fire causing activities and fireworks, the state forester shall post a notice of the action in the office of the secretary of state and shall notify the news media. The notice shall clearly state which types of activities are prohibited, where they are prohibited and whether permits that are issued by other governmental entities are affected by the action.

C. The state forester shall have responsibility to prevent and suppress wildfires only on lands covered by cooperative fire agreements.

D. The state forester may request the governor to declare a wild land fire emergency pursuant to section 35-192. If liabilities are authorized under both sections 35-192 and 37-623.02, the authorization under section 37-623.02 must be exhausted before any liabilities may be incurred under section 35-192.

E. The state forester shall cooperate and coordinate with the state fire marshal in the administration of the state fire code in the prevention of fires on rural lands and wild lands.

F. The state forester may enter into cooperative agreements with other state and federal agencies, departments and political subdivisions and any person for:

1. Prevention and suppression of wildfires.
2. Assistance with fire and nonfire national and state emergencies and multiagency logistical support in this state and other states.
3. Activities pursuant to the wildfire suppression assistance act (P.L. 101-11; 103 Stat. 15; 42 United States Code sections 1856m through 1856o) in Mexico and Canada.

G. The state forester may enter private lands in performing the duties under this section.

H. The state forester may enter into agreements to utilize private landowners' equipment and personnel if the fire is on or adjacent to such private landowners' property.